

Non Responsive

Non Responsive and as you probably also know, there is a full court press on for Toronto City Centre Airport on preclearance as well, that we recently denied, but they are sending us a new request anyway. There is nothing here that says what the US passenger volume is, and CBP's standard is 400,000 per year before considering. And even then, since preclearance is not supplemented by fees, but paid for by CBP's budget, there is likely going to be no funding for expansion any time soon.

Non Responsive

(b)(6)(b)(7)(C)

Dept. of Homeland Security Attaché  
Embassy of the United States

Ottawa, Canada

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~~THIS MESSAGE MAY CONTAIN FOUO/DRAFT/PRE-DECISIONAL/DELIBERATIVE INFORMATION EXEMPT FROM DISCLOSURE~~

~~This email is UNCLASSIFIED - Original Message~~

From: (b)(6)(b)(7)(C)

Sent: February 16, 2011 2:54 PM

To: (b)(6)(b)(7)(C)

Cc: (b)(6)(b)(7)(C)

Subject: Quebec Airport Interest in Preclearance Facility

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Regards,

## THE FULL PORTER AIRLINES REVIEW:

During a recent trip to Toronto, I had the opportunity to fly to Montreal and back using Porter airlines (disclosure: the trip was paid for by Bombardier to check out their Cseries in Montreal). Being based in Seattle and flying Horizon/Alaska <<http://www.airlinereporter.com/2010/07/my-review-horizon-air-from-seattle-to-reno/>> quite a bit, I am no stranger to the Q400 aircraft. There have been quite a few times that when I talk to people about the Q400, I am asked if I have tried Porter Airlines. Luckily, I can now say that I have — and that is a good thing.

When flying Porter Airlines, getting to the airport was half the fun. I walked about a mile (could have easily taken a cab, bus or subway, but it was a nice morning), hopped on a shuttle bus, then took the world's shortest ferry ride. For those that love anything that involves transportation, the experience is pretty cool. So why a ferry? Well, that is kind of a long story.

<<http://www.airlinereporter.com/wp-content/uploads/2013/01/porter2.jpg>>

After arriving at Billy Bishop airport, be sure to turn around and catch the view of the ferry with Toronto in the background.

Billy Bishop Toronto City Airport is located on an island in Toronto and is restricted to prop aircraft and helicopters. When Porter first began looking at starting operations there, they were under the assumption that a bridge would be built to allow easy access. There was some fun political stuff that went down and no bridge has been built. Instead, the airport runs a small ferry that can hold cars and passengers from the “mainland” over to the island. Don't blink, because you might miss the ride — it is the shortest ferry ride in the world.

The Toronto Port Authority is in the process of creating a pedestrian tunnel that will allow easier access and reduce the onslaught of passengers that come with each arriving ferry. The ferry will still operate once the tunnel is completed (which they are expecting to be done in 2014), to handle car traffic and presumably passengers who want to get the full experience.

I was staying in downtown Toronto and decided to make the one mile walk to the Royal York Hotel, where Porter Airlines operates a free shuttle to the ferry. Even with the walk, shuttle and ferry, it was less than an hour from my hotel room to my gate, which was quite impressive.

<<http://www.airlinereporter.com/wp-content/uploads/2013/01/porter3.jpg>>

Porter Airlines waiting area is nicer than some airline first class lounges I have been in -- and everyone gets access.

Since all I had was a camera, it was quick and easy for me to get through security. Every time I go through airport security any place that is not in the US, I am reminded how much better it can be. I was greeted with a big smile and asked how I was doing (what... is this a trick?). I asked if I needed to take off my shoes and I was told no. He looked at my belt and said, “that might make the alarm go off,” and I explained it never had before and he let me through (very different from the barking orders that the TSA gives).

This is when things really get different. Instead of having a bunch of uncomfortable seats with bad lighting, the Porter Airlines waiting area is like a first class lounge — and a good one at that. I have been in a few first class lounges of other airlines that have been worse than Porter's waiting area. There are free drinks and snacks, nothing major, but still impressive. There is free wifi and plenty of comfortable seating. This all comes at no extra charge and is just part of the Porter experience.

Before my flight I had an opportunity to sit down with Brad Cicero and Amanda Ashford, with Porter communications, to learn a bit more about the airline. They explained to me that Porter is looking to add some paid options in their lounge, including ready-to-go food and alcohol.

<<http://www.airlinereporter.com/wp-content/uploads/2013/01/porter4.jpg>>

Porter Airlines offers a comfortable cabin that feels high-end, especially for a regional prop airliner.

Each flight is clearly announced and people line up at one of three doors before heading to one of ten gates. With most regional prop aircraft, you have to (well “get to” for airline fans) go on the tarmac to board. This can be okay some times of the year, but winter in Toronto has a way of getting a bit cold. So, the airline helped to design a customized boot to allow an inside hallway to connect to the aircraft, keeping passengers out of the elements.

The Q400 is not known for having spacious overhead bins (although the Q400nextgen does do a pretty good job) If you have a larger carry-on, you can give it to the Porter employee at the gate and they will return it to you once you land. This is a similar service that Alaska <<http://www.airlinereporter.com/2010/07/my-review-horizon-air-from-seattle-to-reno/>> and Frontier Airlines also offer on their Q400s <<http://www.airlinereporter.com/2011/11/my-review-frontier-airlines-q400-from-denver-to-aspen/>> .

Porter has arranged their Q400s with a 34” seat pitch with 70 seats vs the typical 78 seat set up. All the seats are leather and the interior uses lighter color tones. It felt more like someone’s personal aircraft than an airliner. On both my flights I had a seat mate, which didn’t give me too much room side-to-side — although I am a bit bigger of a guy. I was sitting in the aisle going to Montreal and I would really have to bring my shoulder in from being hit by people passing in the aisle.

<<http://www.airlinereporter.com/wp-content/uploads/2013/01/porter5.jpg>>

Yea, this might have been a 11:30am flight (8:30am Seattle time), but I had to test out the free wine for my story.

Just because the flight was only an hour doesn’t mean that passengers don’t get full service. A bit after take off the flight attendants started down the aisle giving out meal boxes and drinks. On the way to Montreal I had a chicken sandwich with pasta and on the way back was a chicken wrap with veggies. Now, these are not full meal portions, but way more than you would expect in economy on almost any other domestic airline. Not to mention you also get free beer or wine — in a real glass.

The flight attendants have classic uniforms that look professional and the four I was able to interact with seemed to actually enjoy their job and positively interacted with passengers, even though they had a short time line to complete their service.

The weather in Montreal was foggy and a bit snowy, so we did not see the ground until we almost touched down. Even sitting near the rear of the plane, it is always a quick de-boarding process on the Q400.

<<http://www.airlinereporter.com/wp-content/uploads/2013/01/porter6.jpg>>

Billy Bishop Toronto City Airport (YTZ) seen from the Porter Airlines Q400.

After a few hours in Montreal, I was back at the airport ready to take another ride on Porter. The ride back was equally enjoyable. This is an airline that seems to be in at the right place at the right time, offering the right service.

They are working towards getting US Customers Pre-Clearance in Toronto, so that they can expand routes into the US that do not have customs. Porter is also planning to bring lounges to additional airports that they serve like Montreal and Newark, sometime in the future.

(b)(6)(b)(7)(C)

**From:** (b)(6)(b)(7)(C)  
**Sent:** Monday, January 09, 2012 5:21 PM  
**To:** (b)(6)(b)(7)(C)  
**Subject:** FW: Preclearance Denial of service requests  
**Attachments:** Pending or Denied Service Requests.doc; Pending-Denied Service Requests.xls

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Thanks,

(b)(6)(b)(7)(C)

Acting Director  
Resource Optimization Division, PPAE  
OFO/CBP/DHS  
Office: 202-(b)(6)(b)(7)(C)  
BB: 347-(b)(6)(b)(7)(C)

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**From:** (b)(6)(b)(7)(C)  
**Sent:** Tuesday, November 29, 2011 9:09 AM  
**To:** (b)(6)(b)(7)(C)  
**Cc:**  
**Subject:** Preclearance Denial of service requests

(b)(6)(b)(7)(C)

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Billy Bishop Airport/Toronto City Centre – Porter Airlines presented a business case for review by DHS and CBP. S1 signed off on CBP's response letter denying the request for PC operations; and suggested future consideration if/when the pax count met the threshold of 400,000 passengers/annual basis.

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- It should also be noted, that on June 30, 2010, CBP preclearance met with Porter Airlines at Toronto City Center Airport (YTZ) to conduct a similar observational tour of the existing facilities in light of the request to initiate preclearance.

**Prepared By:** Operations, Preclearance

**Date:** March 14, 2011, 1000 hours

**(b)(6)(b)(7)(C)**

Deputy Executive Director, Operations (Acting)

Office of Field Operations

(202) **(b)(6)(b)(7)(C)** office

(716) **(b)(6)(b)(7)(C)** cell

---

**From:** **(b)(6)(b)(7)(C)**

**Sent:** Monday, March 14, 2011 11:02 AM

**To:** **(b)(6)(b)(7)(C)**

**Subject:** Time options for mtg Monday?

# Non Responsive

**(b)(6)(b)(7)(C)**

202-**(b)(6)(b)(7)(C)** office

(b)(6)(b)(7)(C)

**From:**  
**Sent:**  
**To:**  
**Subject:**

(b)(6)(b)(7)(C)

(b)(6)(b)(7)(C)

# Non Responsive

5. Toronto pre-clearance expansion to Billy Bishop Toronto City Center Airport (YTZ)—the legislation would permit reimbursement for staff necessary to do this.

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(b)(6)(b)(7)(C)

Acting Director  
Resource Optimization Division, PPAAE  
OFO/CBP/DHS  
Office: 202-(b)(6)(b)(7)(C)  
BB: 347-(b)(6)(b)(7)(C)

---

**From:** (b)(6)(b)(7)(C)  
**Sent:** Monday, March 26, 2012 5:56 PM  
**To:** (b)(6)(b)(7)(C)  
**Subject:** Sec 543 Reimbursable Services Proposal

(b)(6)(b)(7)(C)

# Non Responsive

(b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C)  
**Sent:** Wednesday, April 15, 2015 11:14 AM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** RE: Please Read: Action Items due for Facilities Bi-Weekly Report for MSD- Suspense for this action is COB, Wednesday, April 15, 2015

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Respectfully

(b) (6), (b) (7)(C)

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Wednesday, April 15, 2015 8:42 AM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** RE: Please Read: Action Items due for Facilities Bi-Weekly Report for MSD- Suspense for this action is COB, Wednesday, April 15, 2015

Here are mine – we are prohibited from discussing details about the technical evaluation trips – (b)(7)(E)  
but I added as much as I believe I can.

- On April 13, 2015, OFO Facilities/Pre-Clearance traveled to Toronto as part of a Preclearance Expansion Technical Team evaluation at the Billy Bishop Airport. A walk through of the proposed area was performed and then the evaluation was concluded after a final question and answer period. Next Steps: OFO Facilities will complete the facility review questionnaire and submit to the Preclearance Integrated Project Team as required.
- On April 14, 2015, OFO Facilities/Pre-Clearance participated in a meeting with the Greater Toronto Airport Authority and the Architect/Engineer to be briefed on the current status for the Toronto Terminal#1 and Terminal#3 FIS renovation/expansion projects. After the meeting, the CBP team met with the Consular General to debrief on the Billy Bishop meeting as well as to discuss the Toronto FIS renovations and the importance of these two FIS facilities opening on time and fully compliant to current standards and the pending Canada/US Preclearance Country Agreement.

(b) (6), (b) (7)(C)

Airport/Preclearance Facilities Program Manager  
Office of Field Operations  
Mission Support, [Facilities Division](#)  
U.S. Customs and Border Protection  
1300 Pennsylvania Ave, NW  
Suite 3.3C-16  
Washington, DC 20229  
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Blackberry: 202 (b)(6)(b)(7)(C)  
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## ANNOUNCE NEW CROSS BORDER DEAL

of an agreement set to be announced today between Canada and the U.S. A U.S. government advisory says Public Safety Minister Steven  
customs agents into each other's countries -- so that they can screen passengers away from the border, and ease the choke points there. The  
announced their intention to do the same for land and sea travel as part of the 2011 Beyond the Border deal between Prime Minister Stephen Harper  
more than two years later, they may have finally reached that deal. The governments haven't confirmed the details. But the U.S. side has outlined  
out a major impending agreement that would touch different types of travel. "We are nearing completion of a groundbreaking pre-clearance  
public event last fall." (It) creates a new legal framework for officers operating in each other's country. "What's not clear is how easily the plan m  
e: --Legislation in both countries. --Public financing for customs infrastructure away from the border. --Participation of the private sector in p  
security. The statistics bear that out. Land travel into the U.S. declined in 2001, and it's never recovered. Data from the U.S. Bureau of Travel  
ago pointed to several reasons for a decline in Americans making the back-and-forth trip -- one was border wait times, but the study also  
onse was to raise all the drawbridges," Johnson said. "Crossing points became choke points for cars and cargo." But he said Obama and Harper  
Nexus program, integrated cargo inspection projects, simplified electronic filing for shippers, and shared entry and exit records. (Canadian I

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and U.S. Secretary of Homeland Security, Jeh Johnson, signed the Agreement on Land, Rail, Marine and Air Transport Preclearance between  
Obama in December 2011. The Agreement was signed in Washington following a meeting to discuss border security.

and services. A highly efficient border that ensures the efficient flow of legitimate goods and people is essential to this trade relationship. Through  
ness.

new preclearance operations in any of the four modes of transportation. It will allow the market to propose operations when and where it m

officers began screening travellers for U.S.-bound planes at the Toronto International Airport. A formal preclearance agreement with the U.S. airports under the current bilateral air preclearance framework - reducing wait times for these passengers and often reducing the number of o ed in 2001. This single Agreement would ensure a consistent approach to all preclearance activities, regardless of the mode of transportati marine and air modes, Canada and the U.S. committed to implementing a truck cargo pre- inspection pilot in Canada. Phase I of the pilot was uary 2014 to January 2015. An evaluation of the pilot will be completed by July 31, 2015.

reement builds on decades of successful preclearance operations in Canadian airports. It will enhance security at our border and create jobs

and products of the Beyond the Border initiative - a major achievement that will produce significant benefits for the United States and Canada Canada, a true ally, neighbor and friend of the United States."

United States of America (signed in January 2001)

Emergency Preparedness 613-991-2924 Media Relations Public Safety Canada 613-991-0657

Canada's Ministry of Public Safety and Emergency Preparedness announced Monday.

ney and U.S. Secretary of Homeland Security Jeh Johnson in Washington Monday morning, following their meeting on border security.

Harper and U.S. President Barack Obama in December 2011.

long with over two billion U.S. dollars in goods and services.

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Thank you,

(b)(6)(b)(7)(C)

Deputy Director (A)  
U.S. Customs & Border Protection  
Office of Field Operations  
HQ Preclearance  
202 (b)(6)(b)(7)(C)

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**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, January 06, 2015 5:35 PM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** get backs

Hi Gents: I appreciated the opportunity to meet with you today – and I’m looking forward to future meets.

Just sending you a quick update on a few get-backs you asked about from INA – and also copying the involved regional directors from this end.

Also, if there is something I am missing (or have wrong) – please let me know. The end game here is that we are rowing in the same direction.

- Canada Dip Note (re: the response to Ambassador Heyman’s inquiry into Preclearance at Billy Bishop Airport in Toronto): INA composed a letter for OFO’s review in mid-December. The letter was then sent to DHS HQ with the understanding that they will send the final letter to the Ambassador’s office. (b)(6)(b)(7)(C) is currently checking on whether DHS issued a final letter to the Ambassador. **We will update you ASAP.**

• **Non Responsive**

Thank you,  
(b)(6)(b)(7)(C)

(b) (6), (b) (7)(C)

Deputy Executive Director  
International Operations Division  
Office of International Affairs  
U.S. Customs and Border Protection

(b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C)  
**Sent:** Wednesday, July 10, 2013 4:40 PM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** DHS (b)(7)(E) 2013-COR-01026 - Documents  
**Attachments:** Incoming Sen Lindsey Graham.pdf; 2013-COR-01026.Graham.Scott.Toronto  
Preclearance.Draft.docx; 2013-COR-01026.Graham.Scott.RoutingandBI.pdf

(b) (6), (b) (7)(C),

(b) (6), (b) (7)(C) cleared this DHS (b)(7)(E) Will you please review?

Thank you,

(b)(6)(b)(7)(C)

Folder 2013-COR-01026

**Originator:** (b) (6), (b) (7)(C)

**Constituent:**

**Priority Code:** DHS (b)(7)(E)

**Letter Type:** DHS (b)(7)(E)

**Addressed To:** Secretary

**Subject:** Senators Graham and Scott write to request for a CBP pre-clearance facility at the Billy Bishop Toronto City Airport.

**Action Office:** OFO

**Signature Office:** OCA

**Signature Type:** OCA Signature

**Notes:** DHS (b)(7)(E)

(b)(7)(E) Folder (b)(7)(E) has been created  
and sent to by (b)(6)(b)(7)(C)

**Type of Report:** [Congressional Reports.Type of Report]

**Type of Activity:** [Congressional Reports.Type of Activity]

**Citation:** [Congressional Reports.Citation]

**Summary of Requirements:** [Congressional Reports.Summary Requirement]

**Primary POC:** [Congressional Reports.Primary POCs]

**Secondary POC:** [Congressional Reports.Secondary POCs]

**Notes:** [Congressional Reports.OES Notes]

**(b)(7)(E)**

(b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, July 09, 2013 12:40 PM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: Billy Bishop / Porter Preclearance  
**Attachments:** 2013-COR-01021 LEAHY.PDF

(b)(6)(b)(7)(C)

Attached is the response on this letter. We do leave the door open for further discussion/consideration, but not until the negotiated updates to the U.S. – Canada Preclearance Agreement, part of the BTB, are in place.

(b)(6)(b)(7)(C)

(b)(6)(b)(7)(C)

Office of Congressional Affairs  
U.S. Customs and Border Protection  
(202) (b) (6), (b) (7)(C)

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**From:** (b)(6)(b)(7)(C) [mailto:(b)(6)(b)(7)(C)@senate.gov]  
**Sent:** Monday, July 08, 2013 5:00 PM  
**To:** (b)(6)(b)(7)(C)  
**Cc:** (b)(6)(b)(7)(C)  
**Subject:** Billy Bishop / Porter Preclearance

(b) (6), (b) (7)(C)

I wanted to follow up on our conversation from two weeks ago concerning the Vermont and South Carolina Congressional Delegation's request that CBP discuss preclearance options at Billy Bishop in Toronto.

You had mentioned you anticipated a response shortly, and that it may not satisfy us. Hoping to change that.

Could you revisit the content of the letter? Ultimately we'd like to see preclearance at Billy Bishop happen – but most importantly, we want to ensure that CBP and Porter begin discussions on a neutral point – recognizing that there is serious interest from Congress on this issue. To that end, could CBP's response back to us say CBP is always pleased to work to better protect our borders and facilitate trade? To that end, the Toronto Port Director and an official from HQ familiar with preclearance would gladly meet with Porter to discuss their growth and interests.

The primary ask in our letter was in paragraph two: "Accordingly, we request that CBP begin discussion with the Toronto Port Authority and Porter Airlines to consider the establishment of a pre-clearance facility."

Our letter was not trying to force the issue or close the deal, and we were not expecting the letter to result in a negative or positive response – just a meeting. Could you make that happen?

Thanks in advance,

(b)(6)(b)(7)(C)

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(b)(6)(b)(7)(C)

**From:** (b)(6)(b)(7)(C)  
**Sent:** Thursday, May 28, 2015 5:50 PM  
**To:** (b)(6)(b)(7)(C)  
**Cc:**  
**Subject:** Question 32 - 2015-QFR-00021

(b)(6)(b)(7)(C)

Below please find Mr. (b)(6)(b)(7)(C) edits to Question 32. Please let me know if you have any questions.

Thank you,

(b)(6)(b)(7)(C)  
202 (b)(6)(b)(7)(C)

**Question 32 (MGMT/CBP):** I understand a CBP team has also visited Toronto's Billy Bishop airport. The Homeland Security Appropriations bill for Fiscal Year 2015 exempts Canadian airports from any preclearance restrictions, including carrier requirements. Will you let me know if that language was unclear, or if the Department needs additional assistance from Congress on moving forward with pre-clearance at this location?

If additional assistance is required, I'd ask that the Department work with my staff so we can resolve any outstanding issues standing in the way of adding additional pre-clearance locations.

**Answer: (OFO)** The statutory language in the Fiscal Year 2015 Homeland Security Appropriations Act unambiguously exempts Canadian airports from preclearance restrictions contained in that law, including carrier requirements. CBP recognizes the potential benefits of expanded preclearance to U.S. travel and tourism. The principal obstacles to expanded preclearance are the resolution of CBP officer privileges and immunities (also called protections and accountabilities) while operating in Canadian territory. The recently signed Agreement on Land, Rail, Marine, and Air Transport Preclearance between the United States and Canada addresses this issue through a shared jurisdictional framework which requires the enactment of U.S. legislation (the Civil Extraterritorial Jurisdiction Act) and approval by the Canadian Parliament.

While legislative work continues in Canada and the United States on these objectives, CBP has worked with Canadian government and private sector stakeholders to evaluate potential Canadian preclearance locations. CBP recently concluded their technical site visits to possible preclearance expansion locations in Canada, including Billy Bishop Toronto City Airport on April 13, 2015. The locations will be examined to determine the potential impact on national security, passenger facilitation, and on the achievement of long-term trade and travel goals. Additionally, we have partnered with U.S. Departments of State and Transportation to evaluate candidate airports, and their respective government's support, through an open and deliberative process that heavily weighed air carrier competitive balance.

For the current fiscal year, with the exception of countries with preclearance facilities in service prior to 2013, pursuing a new preclearance agreement requires the presence of an operating U.S. air carrier. Although the law exempts Canadian airports from preclearance restrictions, the Department took seriously the concerns raised by Congress and U.S. air carriers on the importance of seeking competitive balance at new preclearance locations. Therefore, with respect to considering expansion of preclearance operations at countries where such operations are already ongoing, DHS and CBP are focusing possible expansion on those locations that already maintain the presence of air passenger operations by a U.S. air carrier. Given the significant interest by multiple airports, this Policy decision allows the Department to prioritize locations that provide preclearance opportunities to multiple air carriers.

We continue to engage with airports at the technical level on the possibility of preclearance expansion, similar to Billy Bishop, even if the airports lack a U.S. carrier. At such time as the Canadian Parliament ratifies the new preclearance agreement and the U.S. Congress passes CEJA, which will allow the preclearance agreement to enter into force, CBP will rate and rank Canadian airports that have expressed interest, including Billy Bishop, for potential preclearance expansion. An important part of that evaluation will depend on competitive balance, including passenger operations by a U.S. carrier.

(b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, April 14, 2015 9:11 AM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** RE: Billy Bishop Airport SitRep

Sounds like a successful visit. Thanks!

Skepticism brings questions, Questions brings research, Research brings analysis, Analysis brings answers... The Dalai Lama

(b) (6), (b) (7)(C)

Regional Supervisor, Western Region  
DHS/CBP/IA/SMD  
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Laguna Niguel, CA 92677-3401  
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(b)(6)(b)(7)(C)@dhs.gov

-----Original Message-----

**From:** (b)(6)(b)(7)(C)  
**Sent:** Tuesday, April 14, 2015 5:03 AM  
**To:** (b)(6)(b)(7)(C)  
**Subject:** Billy Bishop Airport SitRep

The following is a quick breakdown of yesterday's Billy Bishop Technical Team visit.

1. Day started at 0700 with all team members meeting in the hotel lobby.
2. Team departed for Billy Bishop airport at 0745.
3. Arrived at the ferry terminal around 0915. Team was greeted at the ferry by an airport representative. After a very short ferry ride, team arrived at the airport at 0919.
4. The meeting commenced at 0930 with Director (b) (6), (b) (7)(C) pre-clearance presentation. This was followed by the Airport authority's presentations.
5. The afternoon events consisted of an airport tour of the proposed pre-clearance facility location. And airport communications center.
6. The meeting concluded at around 1645 with Director (b) (6), (b) (7)(C) out brief and an exchange of questions and answers between both countries.

From my observations of the security posture of the Billy Bishop airport, I say that they meeting the CBP minimum requirements. Also the airport authority is willing to comply with both the 2012 ATDS and SPPH requirements.

(b) (6), (b) (7)(C)

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Wednesday, April 08, 2015 12:53 PM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: Question regarding transborder baggage

Good Afternoon (b)(6)(b)(7)(C)

Thank you for your fast reply and clarification.

Kind Regards

(b)(6)(b)(7)(C)

(b)(6)(b)(7)(C)

**B & F Airport Systems Inc.**  
223 Fanning Road  
Roseneath, Ontario, Canada  
K0K 2X0

Email: (b)(6)(b)(7)(C)@b-finc.com  
Phone: 905 (b)(6)(b)(7)(C)  
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---

**From:** (b)(6)(b)(7)(C) [mailto:(b)(6)(b)(7)(C)@CBP.DHS.GOV]  
**Sent:** Wednesday, April 08, 2015 12:00 PM  
**To:** (b)(6)(b)(7)(C)  
**Cc:** (b)(6)(b)(7)(C)@b-finc.com; (b)(6)(b)(7)(C)@nieuport.com; (b)(6)(b)(7)(C)@Nieuport.com  
**Subject:** RE: Question regarding transborder baggage

Yes, this requirement is mandatory as flights destined to the United States may not co-mingle with those that are not destined to and through the CBP area.

(b)(6)(b)(7)(C)

Deputy Director  
U.S. Customs & Border Protection  
Office of Field Operations  
HQ Preclearance  
202 (b) (6), (b) (7)(C)

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**From:** (b)(6)(b)(7)(C) [mailto:(b)(6)(b)(7)(C)@b-finc.com]  
**Sent:** Wednesday, April 08, 2015 10:24 AM  
**To:** (b)(6)(b)(7)(C)  
**Cc:** (b)(6)(b)(7)(C)@b-finc.com; (b)(6)(b)(7)(C)@nieuport.com; (b)(6)(b)(7)(C)@Nieuport.com  
**Subject:** YTZ: Question regarding transborder baggage

Gentlemen:

Good morning.

You probably remember (b)(6)(b)(7)(C) and myself from the meeting in Washington on May 21, 2014 with the Aruba delegation. We are now in the process of assisting the Billy Bishop International Airport in Toronto, Ontario, Canada (Toronto Island - YTZ) in their path to pre-clearance. Specifically, we are interfacing with Mr. (b)(6)(b)(7)(C) the airport Construction Manager. (b)(6), (b)(7)(C) is assisted by Mr. (b)(6)(b)(7)(C)

During our discussions on Monday, (b)(6), (b)(7)(C) referred to the 2012 USCBP "Airport Technical Design Standard" document. (b)(6), (b)(7)(C) and I had been forward a copy in May of 2014 under the terms of the non-disclosure agreement we executed for USCBP.

A question to which (b)(6), (b)(7)(C) was seeking an answer in the 2012 document was: Is it mandatory that transborder baggage, after check-in, be isolated or quarantined from all human contact until it is either cleared or recalled to secondary? While we informed (b)(6), (b)(7)(C) that based on our experience and discussions with others, it was definitely highly desirable, and our sense was that it was mandatory, we were unable to reference any document that made this feature a mandatory requirement, in writing.

So our question is: is this feature a mandatory requirement?

Thank you for your time and I look forward to hearing from you soon.

(b)(6)(b)(7)(C)

**B & F Airport Systems Inc.**  
223 Fanning Road  
Roseneath, Ontario, Canada  
K0K 2X0  
Email: (b)(6)(b)(7)(C)@b-finc.com  
Phone: 613-(b)(6)(b)(7)(C)  
Fax: 866-  
Cell: 613-

No virus found in this message.

Checked by AVG - (b)(7)(E)

Version: (b)(7)(E) / Virus Database: (b)(7)(E) - Release Date: 04/08/15

(b)(6)(b)(7)(C)

**From:** (b)(6)(b)(7)(C)(OCC)  
**Sent:** Wednesday, December 24, 2014 8:57 AM  
**To:** (b)(6)(b)(7)(C)(OCC)  
**Subject:** FW: 2014-COR-02393 OES Clearance Request  
**Attachments:** FW Office of the Governor of Vermont Shulin.msg; 2014-COR-02393-Shumlin-Billy Bishop-Routing.pdf; Shumlin incoming.pdf; 2014-COR-02393-Shumlin-Billy Bishop-Draft OCC 12-24-14.doc

(b)(6)(b)(7)(C) sorry to bother you – this is a draft response letter to Gov. Shumlin (VT) about PC expansion at Billy Bishop. I adapted some text from a previous letter you reviewed (concerning ferries, not Billy Bishop). Should I send to both you and (b)(6)(b)(7)(C)? For ease, I've cut and paste here:

This letter is in response to your November 18, 2014, letter to U.S. Customs and Border Protection (CBP) regarding the Toronto Port Authority's interest in the establishment of U.S. preclearance operations at the Billy Bishop Toronto City Airport (YTZ).

The Department of Homeland Security (DHS) and CBP are currently exploring the feasibility of additional international locations for preclearance expansion. As part of this process, CBP is in receipt of a letter of interest from the Toronto Port Authority for preclearance expansion to Billy Bishop Toronto City Airport.

The United States and Canada are currently in the process of completing negotiations related to a new reciprocal preclearance agreement. As this agreement is expected to provide greater reciprocal authorities for carrying out preclearance operations, CBP believes it would be prudent to consider expanding air preclearance operations in Canada once this new Agreement has entered into force. Once in force, DHS will begin a collaborative review and evaluation of interested airports, to include YTZ. Each proposed location will be carefully reviewed to ensure the operation would be cost effective and provide positive returns with regards to a wide spectrum of U.S. interests.

(b)(6)(b)(7)(C)  
Attorney (Enforcement)  
Office of Chief Counsel  
U.S. Customs and Border Protection  
Tel: 202 (b)(6)(b)(7)(C)

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**From:** (b)(6)(b)(7)(C)(OCC)  
**Sent:** Tuesday, December 23, 2014 4:28 PM  
**To:** (b)(6)(b)(7)(C)(OCC)  
**Subject:** FW: 2014-COR-02393 OES Clearance Request

It seems like they are all heading your way today... this one is due by tomorrow 3pm.

**From:** (b)(6)(b)(7)(C) @cbp.dhs.gov [mailto:(b)(6)(b)(7)(C) @cbp.dhs.gov]  
**Sent:** Tuesday, December 23, 2014 3:57 PM

(b)(6)(b)(7)(C)

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**From:** (b)(7)(E)  
**Sent:** Tuesday, March 17, 2015 4:58 AM  
**To:** (b)(7)(E)  
**Subject:** The Homeland Security News Briefing for Tuesday, March 17, 2015  
**Attachments:** (b)(7)(E).doc

## [The Homeland Security News Briefing](#)

**TO:** THE SECRETARY AND SENIOR STAFF

**DATE:** TUESDAY, MARCH 17, 2015 5:00 AM EDT

### **TODAY'S TABLE OF CONTENTS**

**LEADING DHS NEWS:**

+ [US, Canada Sign Customs Preclearance Agreement.](#)

**Non Responsive**



Non Responsive

Leading DHS News:

**US, CANADA SIGN CUSTOMS PRECLEARANCE AGREEMENT.** The signing of a trade agreement between the US and Canada enabling preclearance operations at ports of entry on either side of the northern border received significant print coverage in Canadian and US border-area communities, and among some national print outlets. Articles noted that the agreement will come into effect only upon passage by the American and Canadian legislatures; certain members of Congress from border-adjacent states are quoted expressing their support for the agreement.

Non Responsive

# Non Responsive

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Police presence possible at Toronto's Billy Bishop  
04/25/2013  
Globe and Mail - Online, The

The Toronto Police Services Board is willing to consider putting armed police officers at Billy Bishop airport so that passengers can go through U.S. customs before boarding.

The U.S. Department of Homeland Security requires that armed police are present for U.S. workers to perform customs checks.

“It would be a convenience for the passengers. They could be cleared here, get on the flight and when they arrive in the United States, they are already cleared,” said Geoffrey Wilson, president and CEO of the Toronto Port Authority, at a meeting of the police board.

Mr. Wilson says the Port Authority is willing to pay for the police officers. But there were conflicting reports about how much the nine police officers requested would cost. The Port Authority proposed using private constables, but the police board rejected the idea.

Toronto Police Chief Bill Blair said he would be happy to meet with the Port Authority about the matter, which would be a step up from the support currently provided. There are no officers stationed at the island airport, but the police will respond to calls there.

“Toronto Police Services, in absorbing the then harbour police, accepted responsibility for policing the harbour, and we do that,” he said.

Before 1982, the Port Authority had its own police service for the harbour.

Many other airports in Canada, such as Toronto’s Pearson International, already have police officers and pre-clearance for travellers to the United States.

Councillor Michael Thompson, vice-chair of the police board, says he’s pleased the board will have an opportunity to discuss the matter with the Port Authority.

“Mr. Wilson has given some numbers in terms of their cost that was quite different than the information that was provided to us. I think there is an opportunity to address that,” he said.

Chief Blair, Mr. Wilson and the chair of the Police Services Board will report back to the wider board in June.

Mr. Wilson says the request for special constables has nothing to do with the proposed expansion of Billy Bishop airport and said “the discussion on Homeland Security started a year ago.”

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**Non Responsive**

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Wednesday, December 10, 2014 2:22 PM  
**To:** (b) (6), (b) (7)(C) (occ); (b) (6), (b) (7)(C) (occ)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** FW: Tasking: Billy Bishop Toronto City Airport (UPDATED)

Please see below.

Any insight or input on the draft dip note response?

Thanks,

(b) (6), (b) (7)(C)  
Deputy Director (A)  
CBP HQ Preclearance  
202 (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Wednesday, December 10, 2014 2:21 PM  
**To:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Subject:** FW: Tasking: Billy Bishop Toronto City Airport (UPDATED)

All,

The attached document is the draft dip not response to the Canadian's incoming with the Billy Bishop request for consideration in attachment. I believe that the response is appropriate and incorporates the template response as proposed for all other locations which also submitted LOI's to CBP.

Please feel free to raise any concern, suggest edits, or comment on this draft otherwise, I will concur with the current draft as final and recommend the Ottawa Post respond as appropriate based upon this draft.

(b) (6), (b) (7)(C)  
Deputy Director (A)  
CBP HQ Preclearance  
202 (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Wednesday, December 10, 2014 11:15 AM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** Tasking: Billy Bishop Toronto City Airport (UPDATED)

PC- Please review the attached letter regarding Preclearance at Billy Bishop Airport and provide a response by 1500 hours Friday December 12, 2014.

(b) (6), (b) (7)(C)  
U.S. Customs and Border Protection

Office of Field Operations

Taskings-Front Office

202 (b) (6), (b) (7)(C)

---

From (b) (6), (b) (7)(C)

Sent: Wednesday, December 10, 2014 10:26 AM

To: OFOTASKINGS

Cc: (b) (6), (b) (7)(C)

Subject: FW: Tasking: Billy Bishop Toronto City Airport (UPDATED)

OFO Tasking,

Please find updated attachment for review.

Thank you,

(b) (6), (b) (7)(C)

Office of International Affairs

U.S. Customs and Border Protection

(O) 202 (b)(6)(b)(7)(C)

(BB) 202

<b>Tasker Name</b>	Bill Bishop Preclearance
<b>Lead Office(s)</b>	INA
<b>Required Coordination</b>	OFO
<b>Product</b>	OFO-Preclearance: Please review attached letter regarding Preclearance at Billy Bishop Airport.
<b>POC</b>	Mr. (b) (6), (b) (7)(C) 202-(b)(6)(b)(7)(C); Ms. (b) (6), (b) (7)(C) (202 (b) (6), (b) (7)(C))
<b>Due to CBP Tasking</b>	<b>NLT COB on Friday, December 12, 2014</b>

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From (b) (6), (b) (7)(C)

Sent: Tuesday, December 16, 2014 9:36 AM

To: (b) (6), (b) (7)(C)

Cc: CBP-STATE-LOCAL-TRIBAL-LIAISON; (b) (6), (b) (7)(C)

Subject: FW: Office of the Governor of Vermont Shulin

(b) (6), (b) (7)(C)

The attached letter/response was initiated from the Governor of Vermont on May 2013 requesting establishing a central preclearance facility at the Billy Bishop Toronto City Airport. A response was provided on August 2013 by Mr. Winkowski denying the request and another letter sent in November 2014 (both letters attached). Both letters was never received by the Governor's office. The governor is very interested in setting up a conference call/meeting with CBP to discuss the importance of establishing a pre-clearance facility at the Billy Bishop Toronto City Airport. SLT would gladly set up a call with OFO if needed.

Please see each letter and confirm the appropriate response so that we may inform the Governor correctly.

(b) (6), (b) (7)(C)

CBP Liaison Officer

Office of the Commissioner

State, Local and Tribal Liaison

Customs and Border Protection

202 (b)(6)(b)(7)(C) Office

202 BlackBerry

202 FAX

HSDN: (b)(6)(b)(7)(C) @dhs.sgov.gov

JWICS: (b)(6)(b)(7)(C) @dhs.ic.gov

---

From (b) (6), (b) (7)(C)

Sent: Wednesday, December 10, 2014 11:33 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: Office of the Governor of Vermont Shulin

Mr. (b) (6), (b) (7)(C)

I Spoke to (b) (6), (b) (7)(C) Executive Assistant to the Governor in regard to the letter from Vermont Governor Shumlin.

(b) (6), (b) (7)(C) @state.vt.us

Cell: 802 (b) (6), (b) (7)(C)

Office: 802 (b) (6), (b) (7)(C)

The governor's office did not receive a response from CBP – August 12, 2013.

The governor is very interested in setting up a conference call/meeting with CBP to discuss the importance of establishing a pre-clearance facility at the Billy Bishop Toronto City Airport. (has the commerce and transportation teams available to discuss importance of a pre-clearance facility).

Ms (b) (6), (b) (7)(C) would like to have a conversation with a CBP representative to stress the importance of this opportunity and to ensure progress is made.

SLT would gladly set up a call with OFO if needed.

Please note that I did not discuss the response letter – I am not able to discuss what factors CBP uses to determine who will receive the pre-clearance facility. The 2013 response letter states that the US and Canada are currently in the process of negotiating updates to the existing U.S. – Canada Air Preclearance agreement so an update would be helpful.

I will bring the correspondence back to OES.

Regards,

**(b) (6), (b) (7)(C)**

Office of the Commissioner  
State, Local, and Tribal Liaison Office  
1300 Pennsylvania Ave, NW 7.2C  
Washington, DC 20229  
O: 202 (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C)  
**Sent:** Wednesday, December 10, 2014 2:49 PM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: ACTION: CBP (b)(7)(E) 2014-COR-02393.Shumlin.Billy Bishop Airport DUE 12/17/14  
**Attachments:** FW: Office of the Governor of Vermont Shulin; Shumlin incoming.pdf; 2013-COR-01206

(b) (6), (b) (7)(C)

Would you please track down the final version of our draft response for Gov. Shumlin's inquiry about expansion of preclearance for Montreal Rail a couple of weeks back.

We believe that we need to have a similar tone for this letter as that one.

Thank you,

(b) (6), (b) (7)(C)

Deputy Director (A)  
CBP HQ Preclearance  
202 (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Wednesday, December 10, 2014 2:16 PM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** ACTION: CBP (b)(7)(E) 2014-COR-02393.Shumlin.Billy Bishop Airport DUE 12/17/14  
**Importance:** High

OPS-Preclearance:

Please see the attached DHS (b)(7)(E) control for your review and response. This response is due no later than 12/17 and should be prepared for C1's signature.

Linked folder 2013-COR-01206 is attached for your information. Thank you.

Regards,

(b) (6), (b) (7)(C)

U.S. Customs and Border Protection (CBP)

Office of Field Operations (OFO)

202 (b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C) @cbp.dhs.gov [mailto:(b) (6), (b) (7)(C)@cbp.dhs.gov]  
**Sent:** Wednesday, December 10, 2014 1:35 PM

To (b) (6), (b) (7)(C)

Subject: 2014-COR-02393 Assigned to OPS (b)(7)(E)

Folder 2014-COR-02393

Originator: Peter Shumlin

Constituent:

Priority Code: CBP (b)(7)(E)

Letter Type: CBP (b)(7)(E)

Addressed To: Commissioner

Subject: Governor, State of Vermont, writes to follow up on his May 29, 2013 letter to former Secretary Janet Napolitano regarding efforts by the Toronto Port Authority to establish a central preclearance facility at the Billy Bishop Toronto City Airport.

Action Office: OFO

Signature Office: OC

Signature Type: OC Signature

Notes:

WF #

(b)(7)(E) - [2014-COR-02393](#)

(b)(7)(E) Folder [Congressional Reports.Folder ID] has been created and sent to by (b)(6)(b)(7)(C)

(b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C)  
**Sent:** Thursday, August 15, 2013 6:34 PM  
**To:** OFO-AC-BULLETS  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** Event Summary - Burlington, VT: Visit by Senator Patrick Leahy's Staff Members (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C) and (b) (6), (b) (7)(C)



**U.S. Customs and Border Protection  
Field Operations  
Operations, Field Liaison Division**



**Event Summary**

**Who:** Senator Patrick Leahy's Staff Members, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C)

**Date of Event:** Thursday, August 15, 2013

**Field Office:** Boston

**Port Location:** Burlington International Airport

**Requesting CBP Office:** Office of Field Operations

**Field Office POC:** Port Director (b) (6), (b) (7)(C)

Comments:

On August 15, 2013, Senator Patrick Leahy's Staff Members Mr. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) were provided with a tour of the existing CBP facility at the Burlington International Airport (BTV) by Assistant Area Port Director (AAPD) - Trade (b) (6), (b) (7)(C) and Port Director (PD) (b) (6), (b) (7)(C) Coy. Also present for the CBP facility tour, were (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) of BTV, as well as (b) (6), (b) (7)(C) representing Porter Airlines. An overview of port operations was also provided along with an explanation of airport staffing.

Mr. (b) (6), (b) (7)(C) of BTV explained the historical processing of Porter Airlines for the past two years and alluded to the fact that baggage processing was better the first year. Recently, there have been concerns by Porter Airlines passengers regarding the long wait-time for baggage to be removed from arriving flights. PD (b) (6), (b) (7)(C) assured all in attendance, that removing baggage from the aircraft prior to deplaning passengers was not CBP policy and that we would work with all parties to improve the process.

(b) (6), (b) (7)(C) mentioned that Porter Airlines was aggressively pursuing pre-clearance operations for Billy Bishop Airport in Toronto and would be working with Mr. (b) (6), (b) (7)(C) and CBP to attain that process. He indicated that it would not occur during the 2013-2014 season but hoped to have it for the 2014 season. He emphasized that Porter Airlines had every intention to continue the partnership with BTV as well as contracting to increase the number of baggage handlers and ground crew to service Porter flights.

Mr. (b) (6), (b) (7)(C) of BTV indicated that the airport would do all that it could to improve the processes. The majority of the conversation revolved around Porter Airlines obtaining preclearance and that the Vermont delegation, as well as the South Carolina delegation, has written letters to CBP to that end.

Mr. (b) (6), (b) (7)(C) further stated that Porter Airlines is interested in pursuing cost sharing for the preclearance authorization, and that Billy Bishop Airport has already invested in a FIS at the airport for the eventual approval. He indicated that a meeting with CBP regarding the possibility of pre-clearance authorization is being planned for late September or early October, and he would keep all parties apprised of those discussions. The parties departed after approximately an hour of discussion.

**Participants:**

(b)(6)(b)(7)(C) Senior Transportation Advisor for Senator Patrick Leahy's DC Office

(b) (6), (b) (7)(C) Legislative Assistant for Senator Patrick Leahy's DC Office

(b) (6), (b) (7)(C) Field Representative for Senator Patrick Leahy's Vermont Office

(b) (6), (b) (7)(C) of Burlington International Airport

(b) (6), (b) (7)(C) of Burlington International Airport

(b) (6), (b) (7)(C) of Burlington International Airport

(b) (6), (b) (7)(C) Representative for Porter Airlines

**Submitted By:** (b) (6), (b) (7)(C)

**Date Prepared:** 8/15/2013

(b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C)  
**Sent:** Thursday, June 20, 2013 11:44 AM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** FW: Request for Meeting Re: Billy Bishop Toronto Airport Preclearance  
**Attachments:** 5.24.1013 Porter Airlines.pdf; 2013-COR-01021 (b) (6), (b) (7)(C) Toronto\_Preclearance.Draft[1].docx

## Non Responsive

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**From:** (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)@leahy.senate.gov]  
**Sent:** Thursday, June 20, 2013 11:35 AM  
**To:** (b)(6)(b)(7)(C)  
**Cc:**  
**Subject:** Request for Meeting Re: Billy Bishop Toronto Airport Preclearance

(b) (6), (b) (7)(C)

Hope you are surviving immigration reform debate. I'm writing to follow up on the attached letter from the Vermont Congressional Delegation requesting that CBP meet with the leadership of Billy Bishop and Porter Airlines to discuss the potential for pre-clearance at Billy Bishop.

We understand these discussions occurred several years ago, but the landscape up there has changed dramatically. Could you provide me with the appropriate contacts Porter should follow up with to make this request?

Thanks,

(b)(6)(b)(7)(C)

+++++

(b) (6), (b) (7)(C)

Field Representative  
Office of Senator Patrick Leahy  
o - (802) (b) (6), (b) (7)(C)  
c- (802) (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)@leahy.senate.gov

Sign up for [The Leahy Letter](#) and follow Senator Leahy on the Web



**Originator:** (b) (6), (b) (7)(C)

**Constituent:**

**Priority Code:** DHS (b)(7)(E)

**Letter Type:** DHS (b)(7)(E)

**Addressed To:** Secretary

**Subject:** Senators Graham and Scott write to request for a CBP pre-clearance facility at the Billy Bishop Toronto City Airport.

**Action Office:** OFO

**Signature Office:** OCA

**Signature Type:** OCA Signature

**Notes:** DHS (b)(7)(E)

(b)(7)(E) Folder [Congressional Reports.Folder ID] has been created and sent to by (b)(6)(b)(7)(C)

**Type of Report:** [Congressional Reports.Type of Report]

**Type of Activity:** [Congressional Reports.Type of Activity]

**Citation:** [Congressional Reports.Citation]

**Summary of Requirements:** [Congressional Reports.Summary Requirement]

**Primary POC:** [Congressional Reports.Primary POCs]

**Secondary POC:** [Congressional Reports.Secondary POCs]

**Notes:** [Congressional Reports.OES Notes]

(b)(7)(E)

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**From:** (b)(6)(b)(7)(C)  
**Sent:** Thursday, September 25, 2014 2:25 PM  
**To:** (b)(6)(b)(7)(C)  
**Cc:** (b)(6)(b)(7)(C) @CBP.DHS.GOV'; (b)(6)(b)(7)(C)  
**Subject:** RE: Porter Airlines 2014-15

(b)(6)(b)(7)(C) and (b)(6)(b)(7)(C)

**Non Responsive**

Thank you,  
(b)(6)(b)(7)(C)

(b)(6)(b)(7)(C)  
Assistant Area Port Director  
Area Port of St. Albans  
Office of Field Operations  
St. Albans, Vermont  
802-(b)(6)(b)(7)(C) desk  
802- (b)(6)(b)(7)(C) BB

OFO Proud!

~~WARNING: This document is LAW ENFORCEMENT SENSITIVE and is designated for OFFICIAL USE ONLY. It contains information that may be exempt from public release under the Freedom of Information Act (5USC552). This document is to be controlled, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information, and is not to be released to the public or personnel who do not have a valid "need to know" without prior approval from CBP's Office of Field Operations.~~

---

**From:** (b)(6)(b)(7)(C) [mailto:(b)(6)(b)(7)(C)@btv.aero]  
**Sent:** Thursday, September 25, 2014 8:55 AM  
**To:** (b)(6)(b)(7)(C)  
**Cc:** (b)(6)(b)(7)(C) @CBP.DHS.GOV'; (b)(6)(b)(7)(C)  
**Subject:** RE: Porter Airlines 2014-15

Good morning, (b)(6)(b)(7)(C)

Reference your email on September 16 to (b)(6)(b)(7)(C) regarding the Porter operation at Burlington International Airport and our plans for future upgrades at the existing CBP facility. As you are aware, the Airport has made significant improvements over the past three years to make the facility more workable for larger aircraft. However, we do not have plans for additional specific upgrades at the existing facility this year but would consider any requests that you might

have for improvements within the existing building. The long term plans for international service at Burlington are somewhat dependent upon demand and are as follows:

- Porter Airlines is working on obtaining Pre-Clearance authority at Billy Bishop Airport in downtown Toronto. They have a consultant who is working with them in that regard. We do not know the current status of that effort.
- Burlington Airport has plans to construct a CBP facility adjacent to the south end of the terminal. During this past year we have engaged an architectural firm to work on concepts for such a facility designed around CBP technical standards. The initial estimate of cost indicates it will be in the \$7-8 million range with another \$1-2million in adjustments to the existing terminal. This will require special funding. Frankly, we expect that it will take several years for this project to be completed with the speed of development dependent upon the availability of funding and the level of potential demand that can be generated.

We are very supportive of the Porter Airline operation in to Burlington and appreciate the consideration that CBP has given to their operation and the Airport to insure that service. Working together, we think we are improving air service to Burlington and Vermont.

If you have further questions or want to discuss, please let us know.

(b) (6), (b) (7)(C)

Director, Planning & Development  
1200 Airport Drive #1  
South Burlington, VT 05402  
802 (b) (6), (b) (7)(C)  
802 (b) (6), (b) (7)(C) cell)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, September 16, 2014 3:50 PM  
**To:** (b)(6)(b)(7)(C)  
**Cc:** (b)(6)(b)(7)(C) @CBP.DHS.GOV; (b)(6)(b)(7)(C)  
**Subject:** Porter Airlines 2014-15

(b) (6), (b) (7)(C)

**Non Responsive**

**Non Responsive**

Thank you,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Assistant Area Port Director

(b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C)  
**Sent:** Thursday, June 20, 2013 12:22 PM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** Fw: Request for Meeting Re: Billy Bishop Toronto Airport Preclearance  
**Attachments:** 5.24.1013 Porter Airlines.pdf; 2013-COR-01021 (b) (6), (b) (7)(C) Toronto\_Preclearance.Draft[1].docx

FYI on a response to Leahy on expanding preclearance to a second airport in Toronto.

I wanted to highlight the BEST part of our response:

Given the current resource constrained environment at this time, CBP does not have resources or budget to support expansion to YTZ.

It is also worth noting that this request is for CBP to open a U.S. preclearance facility at a Canadian airport that has only one commercial carrier flying routes into the United States. In the case of this request, Porter Airlines is a Canadian carrier. One of the chief disparagements by members of Congress, the U.S. airlines, and pilots associations regarding CBP's development of a preclearance program in Abu Dhabi, United Arab Emirates, has been that despite the daily flights into the United States from Abu Dhabi, none of them are U.S. carriers. The House amendment sponsored by Representatives (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) which was passed on June 6th, would prohibit CBP from using any taxpayer dollars to conduct preclearance at the Abu Dhabi International Airport, where no U.S. air carriers currently provide service.

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Thursday, June 20, 2013 11:44 AM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** FW: Request for Meeting Re: Billy Bishop Toronto Airport Preclearance

See what you think of this draft response . . .

---

**From:** (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)@senate.gov]  
**Sent:** Thursday, June 20, 2013 11:35 AM  
**To:** (b) (6), (b) (7)(C)  
**Cc:**  
**Subject:** Request for Meeting Re: Billy Bishop Toronto Airport Preclearance

(b) (6), (b) (7)(C)

Hope you are surviving immigration reform debate. I'm writing to follow up on the attached letter from the Vermont Congressional Delegation requesting that CBP meet with the leadership of Billy Bishop and Porter Airlines to discuss the potential for pre-clearance at Billy Bishop.

We understand these discussions occurred several years ago, but the landscape up there has changed dramatically. Could you provide me with the appropriate contacts Porter should follow up with to make this request?

Thanks,

(b) (6), (b) (7)(C)

To: (b)(6)(b)(7)(C)

Cc: (b)(6)(b)(7)(C)

(b)(6)(b)(7)(C)

Subject: RE: ACTION: 2015-QFR-00021 Due 4:00pm May 20, 2015

One additional edit to question 32 below. (b)(6), (b)(7)(C) also made a tweak to the legal reference in our prior submission. I'm unable to pull it remotely but will ask her to make the same change to the below response.

//Start Edit//

Under current law, a new preclearance agreement requires the presence of an operating U.S. air carrier prior to establishing new preclearance operations. The Department took seriously the concerns raised by Congress and the U.S air carriers on the importance on seeking competitive balance at any new preclearance locations. By Policy, we have extended a similar requirement for the presence of a U.S. air carrier at any new preclearance operations that fall under our existing agreements with the six countries currently operating preclearance operations. Given the significant interest by multiple airports, this Policy decision allows the Department to prioritize locations that provide preclearance opportunities to multiple air carriers. Additionally, in the new Canadian preclearance agreement the United States reserved the right to determine the factors to be considered in deciding whether to establish preclearance at a new location.

//End Edit//

Let's also use this response to rewrite the Leahy letter currently in clearance.

V/R

(b)(6), (b)(7)(C)

CBP

Mobile (202) (b)(6), (b)(7)(C)

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From: (b)(6), (b)(7)(C)

Sent: Tuesday, May 19, 2015 9:23:49 PM

To: (b)(6)(b)(7)(C)

Cc: (b)(6)(b)(7)(C)

(b)(6)(b)(7)(C)

Subject: FW: ACTION: 2015-QFR-00021 Due 4:00pm May 20, 2015

(b)(6)(b)(7)(C)

I know you have had recent discussions/briefings related to the below topics. We intend to keep the party lines in responding to these QFRs unless you have additional guidance and/or suggested edits.

## Preclearance

One of the major obstacles to cross-border travel today is CBP passenger screening. Over the past couple years, DHS has made great progress in the construction of pre-clearance facilities. I am pleased that DHS has signed a pre-clearance agreement with Canada's Minister of Public Safety, Steven Blaney. While the Canadian Parliament must still act on this agreement, I am confident we are that much closer to making decisions on individual pre-clearance projects.

Secretary Johnson, Vermont used to enjoy Amtrak service across the Canadian border to Montreal. One of the hurdles to restarting this service is safely and securely screening the train. We need help and support from CBP to make the construction of pre-clearance facilities happen. I understand that CBP staff have begun site visits for a number of projects.

# Non Responsive

**Question 32 (MGMT/CBP):** I understand a CBP team has also visited Toronto's Billy Bishop airport. The Homeland Security Appropriations bill for Fiscal Year 2015 exempts Canadian airports from any preclearance restrictions, including carrier requirements. Will you let me know if that language was unclear, or if the Department needs additional assistance from Congress on moving forward with pre-clearance at this location?

If additional assistance is required, I'd ask that the Department work with my staff so we can resolve any outstanding issues standing in the way of adding additional pre-clearance locations.

**Answer:**

US Customs and Border Protection recently concluded their technical site visits to possible preclearance expansion locations in Canada, including Billy Bishop Toronto City Airport (April 13, 2015). The locations will be examined to determine the potential impact on national security, passenger facilitation, and on the achievement of long-term trade and travel goals. Additionally, we have partnered with Departments of State and Transportation to evaluate candidate airports, and their respective government's support, through an open and deliberative process that heavily weighed air carrier competitive balance.

Under current law, a new preclearance agreement requires the presence of an operating U.S. air carrier prior to establishing new preclearance operations. The Department took seriously the concerns raised by Congress and the U.S. air carriers on the importance on seeking competitive balance at any new preclearance locations. By Policy, we have extended a similar requirement for the presence of a U.S. air carrier at any new preclearance operations that fall under our existing agreements with the six countries currently operating preclearance operations. Additionally, in the new Canadian preclearance agreement the United States reserved the right to determine the factors to be considered in deciding whether to establish preclearance at a new location.

We continue to engage with airports at the technical level on the possibility of preclearance expansion, similar to Billy Bishop, even if the airports lack a U.S. carrier. However, we have made clear at the staff level to Billy Bishop in multiple engagement that all new expansion locations require a U.S. carrier to be present prior to commencing operations. We will continue to work with Billy Bishop to assess the feasibility of the location for preclearance operations and support efforts to have U.S. air carriers consider operations at the airport. All of these efforts are contingent on the successful ratification of the new preclearance agreement by the Canadian Parliament and passage of the Civilian Extra-territorial Jurisdiction Act by the U.S. Congress prior to the new Canadian preclearance agreement entering into force.

(b) (6), (b) (7)(C)

Director, Preclearance Operations  
Office of Field Operations  
U.S. Customs and Border Protection  
Office (202) (b) (6), (b) (7)(C)

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From: (b)(6)(b)(7)(C)

Sent: Tuesday, May 19, 2015 3:18 PM

To: (b)(6)(b)(7)(C)

Cc: (b)(6)(b)(7)(C)

Subject: ACTION: 2015-QFR-00021 Due 4:00pm May 20, 2015

# Non Responsive

Respectfully,

(b) (6), (b) (7)(C)

Chief CBP Officer  
U.S. Customs and Border Protection  
Office of Field Operations  
Mission Support-Budget Formulation (TDY)

(b) (6), (b) (7)(C)

From:

(b) (6), (b) (7)(C)

Sent:

Tuesday, May 19, 2015 6:20 PM

To:

(b) (6), (b) (7)(C)

Subject:

FW: Leahy introduced CEJA today

<http://www.leahy.senate.gov/press/leahy-introduces-legislation-to-hold-american-contractors-overseas-accountable-under-us-law>

#####

**A Factor In U.S.-Canada Discussions**  
**On Pre-Clearance Arrangements For Passenger Rail And Air Service**

Another benefit of the bill is that it would complement efforts by Leahy and others to ease and expand air service between Burlington International Airport and Toronto's Billy Bishop Airport, and to restart passenger rail service between Vermont and Montreal. Leahy has sought to expand U.S. preclearance operations in Canada – a process in which travelers clear customs prior to boarding a plane or train rather than upon arrival in the United States.

The United States currently stations U.S. Customs and Border Patrol (CBP) Officers in select locations in Canada to inspect passengers and cargo bound for the United States before they leave Canada. These operations relieve congestion at U.S. airports, improve commerce, save money, and provide national security benefits. The two nations recently signed a new agreement to expand land, rail, marine and air preclearance operations that would greatly benefit Vermont's and the U.S. economies. But one barrier in these discussions is that the United States lacks legal authority to prosecute U.S. officials engaged in preclearance operations if they commit crimes while stationed in Canada. The Leahy bill would ensure that the U.S. has legal authority to hold U.S. officials accountable if they engage in wrongdoing, and would thereby help pave the way to fully implementing the expanded Canada preclearance agreement.

In particular, a key to restoring Amtrak service between Vermont and Montreal is the creation of a preclearance facility in Montreal's Central Station. This would eliminate the need for the train to stop at the U.S. border to allow CBP officers to inspect passengers, a process that currently takes about an hour on the Amtrak's Adirondack Line in New York.

Today, air travelers from Toronto's Billy Bishop Airport to Burlington International Airport must deplane and pass through customs at a separate facility before re-boarding the plane to be transported to the airport terminal. Leahy continues to work with CBP on proposals to establish preclearance operations at these Canadian travel hubs.

(b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C)  
**Sent:** Friday, April 24, 2015 4:06 PM  
**To:** (b) (6), (b) (7)(C), (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: S1 prep

Colleagues – please see edits below from PLCY and OGC, mostly in the first two. Thank you for your patience. (b) (6), (b) (7)(C)

1. Last month you signed a pre-clearance agreement with Canada. We need to do everything possible to facilitate the movement of people and commerce across the US-Canada border. It is vital for our economy. What specifically needs to now occur in order to see tangible results from that agreement? (defer to DHS )
  - The Agreement is premised on a shared jurisdictional framework where the sending country could exercise jurisdiction over its officers for allegations of criminal misconduct that occurred during the performance of official duties while in the territory of the host country. To effectuate this jurisdictional framework, we need legislative authority providing the necessary extraterritorial jurisdiction over our officers who are performing border enforcement functions in a foreign country. Without this authority we would not have the necessary extraterritorial jurisdiction to afford our officers protections from foreign jurisdiction while ensuring they remain accountable in the United States.
  - DHS, in conjunction with the Departments of State and Justice, developed legislation providing this jurisdictional authority and it was included in the CEJA bill that was introduced last Congress. Canada also needs to enact legislation to implement the Agreement, and both sides need to complete an operational protocol related to carriage of firearms. In addition to the CEJA provision, DHS has developed some additional legislative proposals that would enable us to implement other cross-border law enforcement and security programs with both Canada and Mexico under both the *Beyond the Border* and *21<sup>st</sup> Century Border* initiatives. These proposals, which we would be happy to share, would ensure that DHS officers working abroad can perform their duties to the same extent as in the United States and have the necessary protections from foreign jurisdiction for actions taken in the performance of official duties.
2. How quickly do you think we can open up other airports in Canada – specifically Billy Bishop in Toronto – to pre-clearance operations?
  - As part of DHS’s Preclearance Expansion initiative, we received letters of interest from numerous airports around the world, including some in Canada. CBP currently is reviewing these and engaging in conversations with the interested parties as well as conducting its own analysis. Preclearance conducted a technical team visit to evaluate Billy Bishop Airport in Toronto, but it would be premature to discuss the timeframe of Preclearance operations at Billy Bishop before CBP has finalized its results.

3.

• **Non Responsive**

# Non Responsive

Thank you,

**(b) (6), (b) (7)(C)**  
Deputy Director (A)  
CBP HQ Preclearance  
202-**(b) (6), (b) (7)(C)**

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**From:** **(b) (6), (b) (7)(C)**  
**Sent:** Wednesday, December 10, 2014 2:16 PM  
**To:** **(b) (6), (b) (7)(C)**  
**Cc:** **(b) (6), (b) (7)(C)**  
**Subject:** ACTION: CBP **(b)(7)(E)** 2014-COR-02393.Shumlin.Billy Bishop Airport DUE 12/17/14  
**Importance:** High

OPS-Preclearance:

Please see the attached DHS **(b)(7)(E)** control for your review and response. This response is due no later than 12/17 and should be prepared for C1's signature.

Linked folder 2013-COR-01206 is attached for your information. Thank you.

Regards,

**(b) (6), (b) (7)(C)**

U.S. Customs and Border Protection (CBP)

Office of Field Operations (OFO)

202-**(b) (6), (b) (7)(C)**

**From:** **(b)(6)(b)(7)(C)** [@cbp.dhs.gov](mailto:<b>(b)(6)(b)(7)(C)</b>@cbp.dhs.gov) [[mailto:\*\*\(b\)\(6\)\(b\)\(7\)\(C\)\*\*@cbp.dhs.gov](mailto:<b>(b)(6)(b)(7)(C)</b>@cbp.dhs.gov)]  
**Sent:** Wednesday, December 10, 2014 1:35 PM  
**To:** **(b)(6)(b)(7)(C)**  
**Subject:** 2014-COR-02393 Assigned to OPS **(b)(7)(E)**

Folder 2014-COR-02393

**Originator:** Peter Shumlin

**Constituent:**

**Priority Code:** CBP **(b)(7)(E)**

**Letter Type:** CBP **(b)(7)(E)**

**Addressed To:** Commissioner

**Subject:** Governor, State of Vermont, writes to follow up on his May 29, 2013 letter to former Secretary Janet Napolitano regarding efforts by the Toronto Port Authority to establish a central preclearance facility at the Billy Bishop Toronto City Airport.

**Action Office:** OFO

**Signature Office:** OC

**Signature Type:** OC Signature

**Notes:**

WF #

(b)(7)(E)

(b)(7)(E) Folder [Congressional Reports.Folder ID] has been created and sent to by (b)(6)(b)(7)(C)

**Subject:** Application for Preclearance Facility at Billy Bishop Toronto City Airport

(b) (6), (b) (7)(C),

As you know, Toronto Port Authority is submitting an application for a preclearance facility at Billy Bishop Toronto City Airport. Please find attached TPA's Letter of Intent and Business Case. Also attached is a diplomatic note expressing the Government of Canada's full support for this proposal.

A hard copy of the diplomatic note and TPA's application package will follow.

Best regards,

(b)(6)(b)(7)(C)

**(b)(6)(b)(7)(C)**

Senior Policy Officer | Agente Politique Principale  
U.S. Transboundary Affairs Division | Direction des affaires transfrontalières avec les États-Unis

**(b)(6)(b)(7)(C)** [@international.gc.ca](mailto:(b)(6)(b)(7)(C)@international.gc.ca)

Telephone | Téléphone: 343-**(b)(6)(b)(7)(C)**

Facsimile | Télécopieur: 613-**(b)(6)(b)(7)(C)**

Foreign Affairs, Trade and Development Canada  
Affaires étrangères, Commerce et Développement Canada  
Government of Canada | Gouvernement du Canada



Foreign Affairs, Trade and  
Development Canada

Affaires étrangères, Commerce  
et Développement Canada

Canada

(b) (6), (b) (7)(C)

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Friday, October 03, 2014 10:15 AM  
**To:** (b)(6)(b)(7)(C)  
**Cc:**  
**Subject:** FW: BOS FO: Senator Leahy Visit Request  
**Attachments:** 3.26.14 Leahy Preclearance Briefing AAR (2).docx; 04.08.14 SJC Preclearance Briefing.docx

(b) (6), (b) (7)(C)

Assistant Area Port Director  
Area Port of St. Albans  
Office of Field Operations  
U.S. Customs and Border Protection  
Desk: 802-(b)(6)(b)(7)(C)  
Mobile: 802-(b)(6)(b)(7)(C)

OFO Proud!

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Friday, October 03, 2014 9:49 AM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** RE: BOS FO: Senator Leahy Visit Request

Thanks (b)(6)(b)(7)(C)

Just to clarify – OCA has briefed the Senator’s staff multiple times on the requirements that would need to be met in order to establish preclearance at Billy Bishop airport. I have attached the summary from the briefing. In light of the release of the new preclearance guidelines, it might come up again.

In regards to Montreal preclearance, the Senator has always been an advocate for the establishment of rail preclearance in Montreal. CBP has briefed his staff on the issues with this as well.

Happy to have Preclearance Ops on the phone to walk through all of this as well.

Thank you,

(b) (6), (b) (7)(C)

U.S. Customs and Border Protection  
Office of Congressional Affairs  
(202) (b) (6), (b) (7)(C)